



Arizona Regulatory Board of Physician Assistants

9545 East Doubletree Ranch Road • Scottsdale, Arizona 85258-5514
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Jane Dee Hull
Governor

Randy Danielsen, P.A.-C
Chairman

Albert Ray Tuttle, P.A.-C
Vice Chairman

Barry A. Cassidy, Ph.D., P.A.-C
Executive Director

FINAL MINUTES FOR NOVEMBER 6, 2002 PUBLIC MEETING 9535 East Doubletree Ranch Road, Scottsdale, Arizona 85258

BOARD MEMBERS

Randy Danielsen, P.A.-C, Chair
A. Ray Tuttle, P.A.-C, Vice Chair
Michael E. Goodwin, P.A.
G. Bradley Klock, D.O.
James Edward Meyer, M.D.
Sigmund Popko
Anna Marie Prassa
Joan M. Reynolds, P.A.-C
Peter C. Wagner, D.O.
Barry D. Weiss, M.D.

STAFF

Barry A. Cassidy, Ph.D., P.A.-C, Executive Director
Ron Anderson, Assistant Director
Amanda Diehl, Assistant Director
Lisa McGrane, Planning and Operations Administrator
Marie Slaughter, Licensing Administrator

BOARD COUNSEL

Christine Cassetta, Assistant Attorney General

I. CALL TO ORDER

Randy Danielsen, P.A.-C, called the meeting to order at 1:00 p.m. and welcomed new Board members Michael Goodwin, P.A. and James Meyer M.D.

II. ROLL CALL

The following Board members were present: Randy Danielsen, P.A.-C, Michael Goodwin, G. Bradley Klock, D.O., James E. Meyer, M.D., Sigmund Popko, Anna Marie Prassa, Joan M. Reynolds, P.A.-C, A. Ray Tuttle, P.A.-C, Peter C. Wagner, D.O., and Barry D. Weiss, M.D.

III. CALL TO PUBLIC

Individuals who addressed the Board during the Call to the Public are listed under the case about which they spoke.

Christin Foulke from ASAPA addressed the Board regarding the proposed fee increase. Ms. Foulke recognized the need for a fee increase and requested the Board make reasonable fee increases.

IV. EXECUTIVE DIRECTOR'S REPORT

Budget Report

The Board was provided with two graphs illustrating actual and projected Medical Board fund balances, revenues and expenditures for Fiscal Years 2002 thru 2005. The Board was also provided with two five-year fund balance projections and the Board's Budget Summary for the first quarter of FY 03. Based on revised costs, as of September 30, 2002, total revenue for the Arizona Regulatory Board of Physician Assistants is \$32,910.00. Of that amount, \$3,291.00 goes to the General fund, leaving \$29,619.00 in the Medical Board Fund. Total expenditures for the first quarter are \$21,094.63, leaving a balance of \$8,524.37.

Agency Statistics

The Board was provided with statistics regarding the licensing integrity system, quality and timely investigations, adjudication and compliance, and public awareness and education.

EXECUTIVE DIRECTOR'S REPORT (CONTINUED)

Proposed 2003 Board Meeting Dates

MOTION: A. Ray Tuttle, P.A.-C moved to except the proposed 2003 meeting dates.

SECONDED: Anna Prassa

The Board discussed conflicts with the May meeting and proposed meeting May 14.

A. Ray Tuttle, P.A.-C withdrew the motion.

MOTION: A. Ray Tuttle moved to except the proposed 2003 meeting dates with the May meeting amended to May 14, 2003.

SECONDED: Peter Wagner, D.O.

Anna Marie Prassa stated that she would have a conflict with a May 14, 2003 date.

VOTE: 9-1-0 Motion passed.

Board Appointments

Governor Hull appointed Michael E. Goodwin, P.A. and James E. Meyer, M.D. to serve on the Arizona Regulatory Board of Physician Assistants. P.A. Goodwin is the founder and owner of Occupational Assessments & Services, an occupational medicine provider in and out of the state of Arizona. He is a licensed physician assistant, receiving his training at the United States Medical Center in Springfield Missouri. Dr. Meyer is the Medical Director of the Physician Assistant Program and an Assistant Professor for the College of Health Sciences at Midwestern University. Dr. Meyer received his medical education at the University of Michigan Medical School and completed a general internship at the Milton S. Hershey Medical Center of the Pennsylvania State University and an Internal Medicine residency at the University of Colorado Medical Center.

Legislative and Regulatory Affairs Update

Christine Cassetta, Board Counsel, advised the Board of necessary statute changes that will conform more closely to the Arizona Medical Board. These changes include inactive status and allowing the physician assistant to decline the invitation to formal interview.

MOTION: Peter Wagner, D.O. moved to direct staff to draft a bill regarding the proposed P.A. statute changes.

SECONDED: Anna Marie Prassa

VOTE: 10-0-0 Motion passed.

Staff Reports

Information Technology

The IT department has been working on implementing various changes required by recently enacted legislation. This includes the development of a "Supervising Physician(s) and Prescribing Authority" section on the physician assistant website profile. This profile now includes information that allows the public to identify a physician assistant's supervising physician(s) and corresponding prescribing authority in detail.

Licensing

The licensing department is currently scanning the physician assistant license files into electronic files that will be linked to the agency's database. The expected date of completion is December 31. The licensing department also notified each licensed physician assistant of the new prescribing laws. Currently, there are 936 active physician assistants, of which 368 have taken advantage of the 14-day prescribing.

Planning & Operations

The Planning & Operations Center implemented several changes over the last two months that will improve case adjudication and physician assistant due process, enhance public awareness, and better train new Board members. The notice letter inviting a physician assistant to a formal interview was amended, providing physician assistants with more information concerning their due process rights during a formal interview. The center has also been working to design and implement new websites for both the Arizona Regulatory Board of Physician Assistants and the Arizona Medical Board. The PA Board Policy Manual has been updated to reflect recent statutory changes and new adjudication methods available to the Board. Board members were provided with a revised Policy Manual.

Human Resources Update

Cherie Pennington, HR Coordinator, has received training for the 20/20 Insight Gold Performance Management Software Program. The program implementation is projected for January 2003. The agency Training Program and Policy is being finalized and will be presented to staff. Implementation of the new State HRIS (Human Resources Information System) Project continues to be on schedule and training will begin soon.

EXECUTIVE DIRECTOR'S REPORT (CONTINUED)

Training Update

The Board was provided with information regarding Training Academy credits they have each received.

Attendance Update

The Board was provided with information regarding their individual attendance at Board meetings.

Director's Scheduled Meetings

The Board was provided with information regarding the Executive Director's scheduled meetings.

Reading Material

The Board was provided with reading materials.

V. LEGAL ADVISOR REPORT

MOTION: A. Ray Tuttle, P.A.-C moved to go into Executive Session.

SECONDED: Barry Weiss, M.D

VOTE: 10-0-0 Motion passed.

Randy Danielsen, P.A.-C read the Executive Session Announcement.

The Board went into Executive Session at 1:27 p.m.

The Board returned to Open Session at 1: 39 p.m.

VI. APPROVAL OF MINUTES:

MOTION: Michael E. Goodwin, P.A. moved to approve the minutes of the August 21, 2002 meeting, including Executive Session

SECONDED: Anna Marie Prassa

VOTE: 9-0-1 Motion passed

MOTION: A. Ray Tuttle, P.A.-C moved to approve the minutes of the August 29, 2002 Teleconference.

SECONDED: Anna Marie Prassa

VOTE: 8-0-2 Motion passed

VII. APPROVAL OF ANNUAL FEES

Barry A. Cassidy, Ph.D., P.A.-C stated that the agency has re-examined the real cost associated with the Arizona Regulatory Board of Physician Assistants and determined that there is no need at the current time to increase the physician assistant licensing fees. Dr. Cassidy informed the Board members that the agency would continue to track personnel costs.

MOTION: Barry Weiss, M.D. moved to keep licensing fees as they are and change the fee structure to charge \$5 for license verification, \$1 for the first 3 copies and \$0.25 for each additional, and \$25 for dishonored checks.

SECONDED: Anna Marie Prassa

VOTE: 10-0-0 Motion passed.

VIII. NEW BUSINESS

RECOMMENDATION: ADVISORY LETTER

(The Board may accept the recommendation or take other types of action pursuant to their statutory authority)

NO.	CASE NO.	COMPLAINANT	PHYSICIAN ASSISTANT	LIC. #	BOARD RESOLUTION
1.	PA-01-0035	ARBoPA	JAMES P. COMBS, P.A.-C	1524	Dismissed.

James P. Combs, P.A.-C addressed the Board regarding the case and acknowledged that his history notes were abbreviated, but that his main concern was to have the patient seen by a physician and cardiologist in a timely fashion, which was done. P.A. Combs now documents the history more thoroughly. Investigator King presented the case to the Board and noted the medical consultant found that the records were inadequate. Roderic Huber, M.D., Board Medical Consultant, stated the medical notes were very general. Michael E. Goodwin, P.A.-C questioned P.A. Combs regarding a note in the record. P.A. Combs stated that it was not his handwriting and was added at a later time. P.A. Combs stated the patient saw the cardiologist within two hours at the same location. Peter C. Wagner, D.O. questioned P.A. Combs regarding his documentation. James E. Meyer, M.D. asked P.A. Combs how he would now document this. P.A. Combs stated he would be more thorough in his documentation. A. Ray Tuttle, P.A.-C stated the standard of care required a more thorough history taking and documentation.

ADVISORY LETTER: P.A. COMBS (CONTINUED)

MOTION: Anna Marie Prassa moved to go into Executive Session.

SECONDED: A. Ray Tuttle, P.A.-C

VOTE: 10-0-0 Motion passed.

Randy D. Danielsen, Ph.D. read the Executive Session Announcement.

The Board went into Executive Session at 1:55 p.m.

The Board returned to Open Session at 2:07 p.m.

MOTION: A. Ray Tuttle, P.A.-C moved to issue an advisory letter for improper record keeping, as there is insufficient evidence to support discipline.

SECONDED: Joan M. Reynolds, P.A.-C

Barry D. Weiss, M.D. and G. Bradley Klock, D.O. spoke against the motion. Peter C. Wagner, D.O. spoke against the motion and noted that P.A. Combs contacted the attending physician. Dr. Wagner spoke in favor of dismissal. Anna Marie Prassa spoke in favor of dismissal.

VOTE: 1-9-0 Motion failed.

MOTION: Barry D. Weiss, M.D. moved to dismiss the case.

SECONDED: Anna Marie Prassa

VOTE: 9-1-0 Motion passed.

RECOMMENDATION: DISMISSAL					
NO.	CASE NO.	COMPLAINANT	PHYSICIAN ASSISTANT	LIC. #	BOARD RESOLUTION
1.	PA-01-0009	ARBoPA	SALVADOR O. AQUINO, P.A.	1003	Dismissed.

Ron Palmer, Enforcement Administrator, presented the case to the Board and noted the Board voted during the May 2002 meeting to continue the investigation. Mr. Palmer informed the Board that staff had interviewed individuals involved in this case and were unable to prove the allegations.

MOTION: Peter Wagner, D.O. moved to dismiss the case.

SECONDED: Sigmund Popko

VOTE: 10-0-0 Motion passed.

NO.	CASE NO.	COMPLAINANT	PHYSICIAN ASSISTANT	LIC. #	BOARD RESOLUTION
2.	PA-01-0027	C.T.	RUSSELL E. DODSON, P.A.-C	1015	Dismissed.

MOTION: P.A. Tuttle moved to dismiss the case.

SECONDED: Dr. Wagner

VOTE: 10-0-0 Motion passed.

RECOMMENDATION: APPROVAL OF PROPOSED CONSENT AGREEMENT						
NO.	CASE NO.	COMPLAINANT	PHYSICIAN ASSISTANT	LIC. #	INVESTIGATOR	MEDICAL CONSULTANT
1.	PA-02-0010	This case was pulled from the agenda.				
LICENSING ISSUE						
NO.	CASE NO.	COMPLAINANT	PHYSICIAN ASSISTANT	BOARD RESOLUTION		
1.	PA-02-L002	ARBoPA	BAHMAN NAJI-TALAKAR, P.A.	Accepted the proposed Consent Agreement.		

Randy D. Danielsen, P.A.-C noted that Bahman Naji-Talakar, P.A. was present at the meeting. Midge McKee, Investigative Aide, presented the case to the Board. Michael Sucher, M.D., Board Medical Consultant, presented the Medical Consultant's report. Dr. Sucher stated there are no safety issues with regards to issuing P.A. Naji-Talakar a license and spoke in favor of the terms of the proposed consent agreement.

MOTION: A. Ray Tuttle moved to accept the proposed Consent Agreement.

SECONDED: James E. Meyer, M.D.

ROLL CALL VOTE was taken and the following Board members voted in favor of the motion: Randy Danielsen, P.A.-C, Michael E. Goodwin, P.A., G. Bradley Klock, D.O., James E. Meyer, M.D., Sigmund Popko, Anna Marie Prassa, Joan M. Reynolds, P.A.-C, A. Ray Tuttle, P.A.-C, Peter Wagner, D.O., and Barry Weiss, M.D.

VOTE: 10-0-0 Motion passed.

FORMAL INTERVIEWS					
NO.	CASE NO.	OMPLAINANT	PHYSICIAN ASSISTANT	LIC. #	BOARD RESOLUTION
1.	PA-02-0001	ARBoPA	DANIEL STOLL, P.A.-C	1478	Directed staff to draft Findings of Fact, Conclusions of Law and Order for a Decree of Censure and Probation for eighteen months. P.A. Stoll shall obtain 20 hours of Continuing Medical Education (CME) in vascular disease and geriatrics. The CME is to be concurrent with requirements for licensure and is to be completed within 12 months. Board staff shall conduct a records review within six months of the completion of the CME.

Daniel Stoll, P.A.-C accepted the invitation to formal interview and was present with his attorney, Michael Guinan. Lawrence J. Monte, Senior Investigator, presented the case to the Board. P.A. Stoll addressed the Board regarding the case. James E. Meyer, M.D. questioned P.A. Stoll regarding his documentation and the treatment of the patient. P.A. Stoll stated the patient was non-compliant and that the physician did not order a vascular surgeon referral. P.A. Stoll stated he did not make the referral because he did not feel the patient would go. P.A. Stoll stated that he consulted with the patient that she needed to go to a vascular surgeon but did not document the consultation. P.A. Stoll stated that he now documents when a patient refuses his best medical advice. Rudolf Kirschner, M.D., Board Medical Consultant, stated that it is not appropriate to treat peripheral vascular disease with coumadin. Barry Weiss, M.D. stated there was no evidence that coumadin was appropriately prescribed in this case. Dr. Kirschner stated that the alternative treatment, given that the patient would not go to a vascular surgeon, was below the standard of care as coumadin is not the treatment for arterial vascular disease. Dr. Kirschner stated the standard of care requires the documentation of the refusal of care and that other modalities, such as elevation, exercise, and anti-inflammatories, should have been used. Dr. Kirschner stated that the care rendered to the patient could have caused harm. A. Ray Tuttle, P.A.-C noted that the current physician assistant statutes do not allow for potential harm. Christine Cassetta, Board Counsel, advised the Board that a delay in treatment or diagnosis is included in the definition of harm. P.A. Stoll stated that at the time he did not feel the case required more supervision. Mr. Guinan addressed the Board on behalf of his client and stated that this was a difficult patient and noted there was no evidence of harm to the patient.

MOTION: G. Bradley Klock, D.O. moved to go into Executive Session.

SECONDED: Anna Marie Prassa

VOTE: 10-0-0 Motion passed.

The Board went into Executive Session at 2:58 p.m.

The Board returned to Open Session at 3:14 p.m.

MOTION: Barry D. Weiss, M.D. moved to direct staff to draft Findings of Fact for failure to meet the standard of care for the management of the patient and for prescribing coumadin unnecessarily.

SECONDED: G. Bradley Klock, D.O.

VOTE: 10-0-0 Motion passed.

MOTION: A. Ray Tuttle, P.A.-C moved to direct staff to draft Conclusions of Law and Order for a Decree of Censure and Probation for eighteen months. P.A. Stoll shall obtain 20 hours of Continuing Medical Education (CME) in vascular disease and geriatrics. The CME is to be concurrent with requirements for licensure and is to be completed within 12 months. Board staff shall conduct a records review within six months of the completion of the CME.

SECONDED: Anna Marie Prassa

ROLL CALL VOTE was taken and the following Board members voted in favor of the motion: Randy Danielsen, P.A.-C, Michael E. Goodwin, P.A., G. Bradley Klock, D.O., James E. Meyer, M.D., Sigmund Popko, Anna Marie Prassa, Joan M. Reynolds, P.A.-C, A. Ray Tuttle, P.A.-C, Peter Wagner, D.O., and Barry Weiss, M.D.

VOTE: 10-0-0 Motion passed.

NO.	CASE NO.	COMPLAINANT	PHYSICIAN ASSISTANT	LIC. #	BOARD RESOLUTION
2.	PA-02-0002	ARBoPA	LANCE TEURFS, P.A.-C	1316	Dismissed.

A. Ray Tuttle, P.A.-C stated that he received an ex parte communication from P.A. Teurfs, which he forwarded to Board counsel and which will not affect his ability to review the case. Lance Teurfs, P.A.-C accepted the invitation to formal interview and was present with his attorney, Michael Guinan. Lawrence J. Monte, Senior Investigator, presented the case to the Board. P.A. Teurfs addressed the Board regarding the case and stated that he did not document well. G. Bradley Klock, D.O. questioned P.A. Teurfs regarding why he did not confirm the prescriptions the patient was on with the patient's previous physician. P.A. Teurfs stated that he did request the records, but felt stopping the prescriptions may have caused harm. Dr. Klock noted that given the list of prescriptions, prescribing might have caused harm. Barry Weiss, M.D. stated that it would have been reasonable to write a limited prescription. P.A. Teurfs stated that he was doing close follow-up with the patient and sees no fault in his action. Rudolf Kirschner, M.D., Board Medical Consultant, stated the combination of prescribing would overload the liver and noted that P.A. Teurfs admitted during his investigational interview that this was not ideal. James E. Meyer, M.D. stated this was a difficult patient on a list of medications that were previously prescribed by another provider and noted the patient's refusal to see a psychiatrist. P.A. Teurfs stated there is no clear contraindication for the prescriptions. Dr. Wagner noted that this is a common problem but questioned when P.A. Teurfs counseled the patient about possible interactions. P.A. Teurfs stated the patient was on the prescriptions when he first saw her without any side effects. Mr. Guinan addressed the Board on behalf of his client.

FORMAL INTERVIEWS: P.A. TEURFS (CONTINUED)

MOTION: James E. Meyer, M.D. moved to dismiss the case.

SECONDED: Michael E. Goodwin, P.A.

Michael E. Goodwin, P.A. spoke in favor of the motion, but stated there was evidence that there should have been more appropriate supervision.

ROLL CALL VOTE was taken and the following Board members voted in favor of the motion: Randy Danielsen, P.A.-C, Michael E. Goodwin, P.A., G. Bradley Klock, D.O., James E. Meyer, M.D., Sigmund Popko, Anna Marie Prassa, Joan M. Reynolds, P.A.-C, A. Ray Tuttle, P.A.-C, and Barry Weiss, M.D. The following Board member voted against the motion: Peter Wagner, D.O.

VOTE: 9-1-0 Motion passed.

Anna Marie Prassa left the meeting at 4:15 p.m.

NO.	CASE NO.	COMPLAINANT	PHYSICIAN ASSISTANT	LIC. #	BOARD RESOLUTION
3.	PA-02-0008	ARBoPA	KAREN MOSER, P.A.	2046	Letter of Reprimand for violating her amended Consent Agreement.

MOTION: Barry D. Weiss moved to accept the proposed Consent Agreement for a Letter of Reprimand for violating her amended Consent Agreement.

SECONDED: Sigmund Popko

ROLL CALL VOTE was taken and the following Board members voted in favor of the motion: Randy Danielsen, P.A.-C, Michael E. Goodwin, P.A., G. Bradley Klock, D.O., James E. Meyer, M.D., Sigmund Popko, Joan M. Reynolds, P.A.-C, A. Ray Tuttle, P.A.-C, Peter Wagner, D.O., and Barry Weiss, M.D.

VOTE: 9-0-0 Motion passed

NO.	CASE NO.	COMPLAINANT	PHYSICIAN ASSISTANT	LIC. #	BOARD RESOLUTION
4.	PA-01-0008 PA-01-0022	ARBoPA	C. ROBERT VANSELOW, P.A.	2309	Dismissed.

C. Robert Vanselow, P.A. accepted the invitation to formal interview and was present with his attorney, Dan Jantsch. Christine Cassetta, Board Counsel advised the Board of the history of the case. Kathleen Muller, MAP Coordinator, informed the Board that only case P.A.-01-0022 was before the Board for adjudication and presented the case to the Board. Ms. Muller stated there is a notice requirement in the Stipulated Rehabilitation Agreement (SRA), which requires the physician assistant to provide the hospitals and supervising physician with a copy of the SRA. Michael Sucher, M.D., Board Medical Consultant, stated that P.A. Vanselow has been compliant and there have not been additional issues. P.A. Vanselow addressed the Board regarding the case. P.A. Vanselow stated that at the time he entered the SRA he did not have any hospital privileges. James E. Meyer, M.D. expressed his concerns regarding P.A. Vanselow's failure to notify the hospitals.

MOTION: A. Ray Tuttle, P.A.-C moved to dismiss the case.

SECONDED: Peter Wagner, D.O.

Sigmund Popko asked P.A. Vanselow if he had contacted staff to determine if his understanding of the agreement was correct. P.A. Vanselow stated that he had not. James E. Meyer, M.D. questioned why it was not inappropriate for P.A. Vanselow to fail to notify hospitals of the SRA. Mr. Jantsch noted the language of the SRA, which did not require him to do any more than he did. Dr. Meyer stated that it is implied in the SRA. Mr. Jantsch noted that when P.A. Vanselow was aware of the error he immediately complied. Peter Wagner, D.O. stated that P.A. Vanselow did follow the agreement.

ROLL CALL VOTE was taken and the following Board members voted in favor of the motion: Randy Danielsen, P.A.-C, Michael E. Goodwin, P.A., G. Bradley Klock, D.O., Joan M. Reynolds, P.A.-C, A. Ray Tuttle, P.A.-C, Peter Wagner, D.O., and Barry Weiss, M.D. The following Board members voted against the motion: James E. Meyer, M.D. and Sigmund Popko.

VOTE: 7-2-0 Motion passed.

MOTION: Barry D. Weiss, M.D. moved to adjourn the meeting.

SECONDED: A. Ray Tuttle, P.A.-C

VOTE: 9-0-0 Motion passed

The meeting adjourned at 4:25 p.m.

[Seal]

Barry A. Cassidy, Ph.D., P.A.-C, Executive Director